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Dan Clarke

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

**In re**

**PG&E CORPORATION**

**- and -**

**PACIFIC GAS AND ELECTRIC  
COMPANY,**

**Debtors.**

Bankruptcy Case  
Case No. 19-30088 (DM)

Chapter 11

(Lead Case)

(Jointly Administered)

**NOTICE OF HEARING ON  
SUPPLEMENTAL MOTION FOR  
RELIEF FROM THE AUTOMATIC  
STAY**

- ☐ Affects PG&E Corporation  
☐ Affects Pacific Gas and Electric  
Company  
☒ Affects both Debtors

*\* All papers shall be filed in the Lead Case,  
No. 19-30088 (DM).*

**Date:** March 10, 2020

**Time:** 10:00 a.m.

**Ctrm:** Hon. Dennis Montali  
450 Golden Gate Avenue  
16th Floor, Courtroom No. 17  
San Francisco, CA 94102

**Objection Deadline:**  
**March 5, 2020, at 4:00 p.m. (PT)**

1           **PLEASE TAKE NOTICE** that on **March 10, 2020 at 10:00 a.m.**, at the United States  
2 Bankruptcy Court for the Northern District of California, located at 450 Golden Gate Ave., 16th  
3 Floor, San Francisco, California, in Courtroom 17 of the Honorable Dennis Montali, Dan Clarke,  
4 Creditor herein (“Clarke”), will bring on for hearing his *Supplemental Motion for Relief from the*  
5 *Automatic Stay* under 11 U.S.C. § 362(d)(1) (the “*Supplemental Motion*”). Clarke brings this  
6 *Supplemental Motion* to continue with certain pending proceedings before the United States  
7 District Court as raised pre-petition in the matter, *San Francisco Herring Association and Dan*  
8 *Clarke vs. Pacific Gas and Electric Company; PG&E Corporation*, United States District Court,  
9 Northern District of California Case No. 14-cv-04393 WHO (JCS) (the “District Court Case”), in  
10 order prosecute the proposed second amended complaint (the “SAC”)<sup>1</sup> in the District Court Case.  
11 The SAC seeks to liquidate Clarke’s claims related to ongoing waste contamination caused by  
12 manufactured gas plants (“MGPs”) in the city and county of San Francisco that the Debtors own  
13 and operate. The SAC also seeks injunctive relief for ongoing violations of Resource  
14 Conservation and Recovery Act (“RCRA”), 42 U.S.C. §§ 6972 *et seq.*, and the recovery of  
15 attorneys’ fees and costs, including expert witness fees. Mr. Clarke further requests the order  
16 granting relief from stay be made effective immediately and that the fourteen (14) day waiting  
17 period of Bankruptcy Rule 4001(a)(3) be waived.

18           The Motion is based upon this Notice of Hearing, the Supplemental Motion, the  
19 Declaration of Stuart G. Gross, the Request for Judicial Notice, the Declaration of Matthew D.  
20 Metzger, the exhibits served with the Motion, any reply, and on such other and further evidence  
21 and matters that the Court may consider at the hearing on the Motion, as well as the March 13,  
22 2019 Final Order Pursuant to 11 U.S.C. §§ 105(a) 363(b), and 507(a)(7) and Fed. R. Bankr. P.  
23 6003 and 6004 (I) Authorizing Debtors to (A) Maintain and Administer Customer Programs,  
24 Including Public Purpose Programs, and (B) Honor Any Prepetition Obligations Relating Thereto;

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26  
27           <sup>1</sup> Declaration of Stuart G. Gross in Support of Supplemental Motion for Relief from the Automatic Stay (“Gross  
Decl.”) ¶24 Exh. 1.

1 and (II) Authorizing Financial Institutions to Honor and Process Related Checks and Transfers.  
2 Dkt. No. 843 and related law and motion in support of said final order. *See, e.g.*, Dkt Nos. 843.

3 **PLEASE TAKE FURTHER NOTICE** that you are hereby informed that any objection  
4 by the Debtor or by the two official creditors' committees shall be filed **on or before 4:00 p.m.**  
5 **prevailing Pacific standard time five days prior to the hearing** and served upon the  
6 undersigned and on all "Standard Parties" as defined in paragraph 5 of the Case Management  
7 Order. You may be able to appear at the hearing by telephone and should consult the Court's  
8 Procedures for Appearances by Telephone.

9 **PLEASE TAKE FURTHER NOTICE** that as provided in Local Rule 4001-1(a), the  
10 debtor, Pacific Gas & Electric Company, is advised to appear personally or by counsel at the  
11 preliminary hearing; and that failure to so appear may result in the Court granting the relief  
12 requested without further hearing, including determining that cause exists under §  
13 362(d)(1) to grant Clarke relief from the automatic stay to liquidate Clarke's claims as  
14 raised pre-petition in the District Court Case and to enforce related injunctive relief after  
15 the District Court defines and enters a final ruling on liability.

16 Dated: February 13, 2020

BELVEDERE LEGAL, PC

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18 By: /s/ Matthew D. Metzger  
Matthew D. Metzger  
19 Attorneys for Creditor Dan Clarke  
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